

## **BILL ANALYSIS**

H.B. 3721  
By: Ellzey  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Several licensees in Texas are required to post signage and notices displaying the national human trafficking hotline number or other information regarding assistance for trafficking victims, including alcoholic beverage permit and license holders, cosmetologists, hospitals, massage schools and establishments, and sexually oriented businesses. Given that the Department of Public Safety (DPS) has a proven history of effectiveness in collecting, analyzing, and culling suspicious activity for investigations, there have been calls to add DPS contact information to the signage displayed in these establishments as the number to contact for tips and reports of suspected trafficking. H.B. 3721 seeks to address this issue by providing for the inclusion of that contact information on certain human trafficking signs and notices.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the attorney general in SECTIONS 2 and 4 of this bill, to the executive commissioner of the Health and Human Services Commission in SECTION 5 of this bill, and to the Texas Commission of Licensing and Regulation in SECTIONS 6 and 7 of this bill.

### **ANALYSIS**

H.B. 3721 amends the Alcoholic Beverage Code, Business & Commerce Code, Civil Practice and Remedies Code, Government Code, Health and Safety Code, and Occupations Code to require the following signs relating to human trafficking to include the contact information for reporting suspicious activity to the Department of Public Safety (DPS):

- a sign containing notice of the national human trafficking hotline that is required to be displayed by certain alcoholic beverage retailer permit and license holders;
- a sign directing a victim of human trafficking to contact the National Human Trafficking Resource Center that is required to be posted by a sexually oriented business;
- a sign that includes a number of a nationally recognized information and referral hotline for victims of human trafficking that is required to be posted by a hotel, motel, or similar establishment that rents overnight lodging to the public that is a defendant in a suit to abate a prostitution-related common nuisance;
- a sign regarding services and assistance available to victims of human trafficking required to be displayed at certain transportation hubs;
- certain human trafficking signs required to be displayed by an abortion facility;
- a sign concerning services and assistance available to victims of human trafficking that is required to be displayed by each massage establishment and massage school; and
- a sign concerning such services and assistance that is required to be displayed on the premises of a place of business that holds a cosmetologist license, certificate, or permit.

H.B. 3721 requires the Texas Alcoholic Beverage Commission, in collaboration with DPS, to develop guidance for compliance with and notify affected license and permit holders of the bill's provisions not later than December 1, 2021.

H.B. 3721 requires the attorney general, in collaboration with DPS, to adopt the rules necessary to implement the bill's provisions not later than December 1, 2021, and requires a sexually oriented business and a transportation hub to comply with the bill's provisions not later than January 1, 2022.

H.B. 3721 requires the executive commissioner of the Health and Human Services Commission, in collaboration with DPS, to adopt the rules necessary to implement the bill's provisions not later than December 1, 2021, and requires a hospital or abortion facility to comply with the bill's provisions not later than January 1, 2022.

H.B. 3721 requires the Texas Commission of Licensing and Regulation, in collaboration with DPS, to adopt the rules necessary to implement the bill's provisions not later than December 1, 2021, and requires a massage establishment or massage school and a licensed facility to comply with the bill's provisions not later than January 1, 2022.

**EFFECTIVE DATE**

September 1, 2021.